

## REMARKS

The Examiner is thanked for granting a telephonic-interview to the Applicant on October 14, 2008. The substance of the interview is summarized below by way of the following remarks.

Claim 1 has been amended to further clarify *displaying the scroll bar based on the relative importance determined for each one of a plurality of desired locations in the file*. It should be noted that the *scroll bar can be displayed by applying one or more display criteria to each one of a plurality of locations of the scroll bar individually, and the locations of the scroll bar can correspond to a plurality of desired locations in the file individually even though the content of the plurality of desired locations of the file may not be displayed* (see, for example, Figures 1, 2 and 7, and in particular, operations 702, 704 and 708 of the above-identified application).

Other independent claims have been amended in a similar manner.

In the Office Action, the Examiner has rejected claims 1, 3-23, 26, 35-38 under 35 U.S.C. 103(a) as being unpatentable over *Nielsen* (6,339,437 B1), *Davis* (U.S. Pub. No. 2005/0091604 A1), and *Mohan et al.* (6,970,881 B1). In addition, the Examiner has rejected claims 24-25 under 35 U.S.C. 103(a) as being unpatentable over *Nielsen*, *Davis*, and *Mohan* in view of *Eick* (5,644,692). Furthermore, claims 27-31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Nielsen*, *Davis*, and *Mohan* in view of *McGee, III et al.* (6,990,496 B1), and claims 32-34 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Nielsen*, *Davis*, *Mohan*, and *McGee* in view of *Kline* ("Principles and Practice of Structural engine," December 2002). These rejections are fully traversed below.

Clearly, *Nielsen* does not teach or suggest: *displaying a scroll bar such that each one of a plurality of locations of the scroll bar indicates the relative importance of corresponding locations of the file even though the content of the corresponding locations of the file are not displayed* (claim 1).

In fact, *Nielsen* teaches altering a "scroll bar thumb" with respect to "portions of the document that would be visible" (Figure 5, and Col. 6, lines 8-37 of *Nielsen*)

As such, it is respectfully submitted that *Nielsen* teaches away from this claimed feature as it teaches considering the relevance of a section of the document that is visible and updating a scroll bar thumb as the visible section changes. Therefore, it is respectfully submitted that *Nielsen* cannot possibly be combined with another reference to teach the invention recited in claim 1.

Nevertheless, the Examiner's rejection of claims based on *Davis* will be traversed. *Davis* pertains to: "...associat[ing] graphical indicia with a scroll bar, wherein the graphical indicia provides a relative location of a user-identified focus point within a set of data. The graphical indicia can be employed by the user to efficiently navigate through the data" (*Davis*, Abstract). Clearly, *Davis* teaches associating horizontal markers with a scroll bar to locate and navigate sections of a document but it does not in anyway teach nor even remotely suggest displaying a scroll bar with a plurality of locations in the context of the invention recited in claim 1. As such, it is believed to be apparent that *Davis* neither teaches nor even remotely suggests: *displaying a scroll bar such that each one of a plurality of locations of the scroll bar indicates the relative importance of corresponding locations of the file even though the content of the corresponding locations of the file are not displayed*. Furthermore, it is believed to be apparent the combination of *Davis* and *Nielsen* could not possibly teach or suggest the invention recited in claim 1 and the Examiner needs to show that *Mohan* can somehow cure the grave deficiencies of *Davis* and *Nielsen*.

However, *Mohan* does not even pertain to a scroll bar. Instead, *Mohan* pertains to a concept-based method and system for dynamically analyzing unstructured information (*Mohan*, abstract). As such, it is respectfully submitted that *Mohan* cannot possibly teach or suggest: *displaying a scroll bar such that each one of a plurality of locations of the scroll bar indicates the relative importance of corresponding locations of the file even though the content of the corresponding locations of the file are not displayed*.

Finally, it is respectfully submitted that the Examiner has not provided factual evidence needed to establish a prima facie case of obviousness. Instead, the Examiner has merely alleged that it would have been obvious to use a method of determining relevancy score for calculating relative importance of content in the context of the claimed invention because "this would enable the user to view trends within each

segments of the text” (Office Action, page 5). Clearly, the mere assertion the a certain combination would yield a beneficial result does not in itself provide factual evidence to support the allegation that making the combination in the first place would have been obvious. In order to establish a prima facie case of obviousness, the Examiner needs to at least show that it would have been obvious to display a scroll bar such that each one of a plurality of locations of the scroll bar indicates the relative importance of a corresponding location of the file.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 504481 (Order No. APL1P301). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER LAW GROUP LLP

/RMahboubian/  
Ramin Mahboubian  
Reg. No. 44,890

P.O. Box 1687  
Cupertino, CA 95015-1687  
408-255-8001